

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

GARY SMITH,

Plaintiff,

v.

21ST CENTURY ASSURANCE COMPANY,

Defendant.

Case No. 2:15-cv-01770-APG-NJK

**ORDER ON REPORT AND  
RECOMMENDATION**

(ECF No. 23)

On April 1, 2016, Magistrate Judge Koppe entered a report and recommendation that I dismiss the complaint because the plaintiff has failed to comply with several court orders. ECF No. 23. Plaintiff Gary Smith did not file an objection.

I nevertheless conducted a de novo review of the issues set forth in the report and recommendation. 28 U.S.C. § 636(b)(1). Judge Koppe sets forth the proper legal analysis and factual basis for the decision. Additionally, it appears from other filings in this case that the plaintiff has abandoned this litigation. His attorney withdrew because the plaintiff was not helpful with preparing discovery responses and was unresponsive to numerous attempts to contact him. ECF No. 16.

IT IS THEREFORE ORDERED that Judge Koppe's report and recommendation (**ECF No. 23**) is accepted. The complaint is **DISMISSED** with prejudice and the Clerk of the Court is instructed to close this case.

DATED this 3<sup>rd</sup> day of May, 2016.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE